

In re:  
Robert Joseph Kroboth  
Melanie Ann Kroboth  
Debtors

Case No. 16-13342-pmm  
Chapter 12

## CERTIFICATE OF NOTICE

District/off: 0313-4  
Date Rcvd: May 18, 2021

User: admin  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 4

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 20, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Robert Joseph Kroboth, Melanie Ann Kroboth, 6274 Mud Run Road, Nazareth, PA 18064-8648
cr	+ Commonwealth of PA UCTS, 651 Boas Street, Room 924, Harrisburg, PA 17121-0751

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: bankruptcy@fult.com	May 19 2021 02:00:00	Fulton Bank NA, One Penn Square, 5th Floor, Lancaster, PA 17602-2853
cr	Email/PDF: gecsed@recoverycorp.com	May 19 2021 01:51:22	Synchrony Bank, c/o Recovery Management Systems Corporat, 25 SE 2nd Avenue, Suite 1120, Miami, FL 33131-1605

TOTAL: 2

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 20, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 18, 2021 at the address(es) listed below:

Name	Email Address
ANDREW J. SHAW	on behalf of Debtor Robert Joseph Kroboth ajshawesq@gmail.com abgoodmanesq@gmail.com
ANDREW J. SHAW	

District/off: 0313-4

User: admin

Page 2 of 2

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on behalf of Joint Debtor Melanie Ann Kroboth ajshawesq@gmail.com abgoodmanesq@gmail.com

DAVID B. SCHWARTZ

on behalf of Joint Debtor Melanie Ann Kroboth david@dbsesq.com DBSchwartzesq@aol.com

DAVID B. SCHWARTZ

on behalf of Debtor Robert Joseph Kroboth david@dbsesq.com DBSchwartzesq@aol.com

JOHN R.K. SOLT

on behalf of Debtor Robert Joseph Kroboth jsolt.soltlaw@rcn.com rbernabe.soltlaw@rcn.com;soltjr78257@notify.bestcase.com

JOHN R.K. SOLT

on behalf of Joint Debtor Melanie Ann Kroboth jsolt.soltlaw@rcn.com  
rbernabe.soltlaw@rcn.com;soltjr78257@notify.bestcase.com

MICHAEL B. JOSEPH

on behalf of Trustee MICHAEL B. JOSEPH mjoseph@ch13de.com

MICHAEL B. JOSEPH

mjoseph@ch13de.com

SCOTT M. KLEIN

on behalf of Creditor Fulton Bank NA sklein@bmnlawyers.com kpower@bmnlawyers.com;keckman@bmnlawyers.com

THOMAS I. PULEO

on behalf of Creditor United States of America Acting through USDA, Commodity Credit Corporation  
tpuleo@kmlawgroup.com, bkgroup@kmlawgroup.com

United States Trustee

USTPRegion03.PH.ECF@usdoj.gov

TOTAL: 11

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: Robert Joseph Kroboth and : Chapter 12  
Melanie Ann Kroboth :  
Debtors : Case 4:16-bk-13342

**ORDER**

AND NOW, this 18th day of May, 2021, upon consideration of the Debtors' Section 363 Motion to Sell Real Property at Private Sale Free and Clear of Liens and Encumbrances and for Distribution of Proceeds at Settlement (the "**Motion**") and the Objection thereto filed by Fulton Bank, N.A. (the "**Objection**") in the above-captioned case, after notice and hearing, the Court concludes that cause exists under 11 U.S.C. § 363 for the granting the relief requested therein, as tailored in accordance with Fulton Bank, N.A.'s Objection. Accordingly, it is hereby ORDERED as follows:

1. That the Motion is GRANTED, in part, and the Objection is SUSTAINED, in part, in accordance with the terms of this Order;
2. If the closing of the sale of the Debtor's real property known 6312 Mud Run Road, Nazareth, PA 18064 comprised of three parcels with Northampton County Tax IDs G9-7-8-626F, G9-7-8-626X, and G9-7-7A-626F (collectively, the "**Property**") for \$450,000.00 in accordance with the Agreement attached to the Motion, with no adjustment of the purchase price (the "**Property Sale**"), is consummated by August 31, 2021, the Property shall be sold free and clear of all liens and encumbrances pursuant to 11 U.S.C. § 363 with the proceeds thereof to be distributed as follows:
  - a. First, to closing costs customarily paid by a seller of commercial real estate in Pennsylvania, which shall include neither broker's fees nor attorney's fees, shall include no more than 50% of any realty transfer tax not avoided by this Order, and which closing costs shall not exceed \$5,000 in total;

- b. Second, \$60,000 payable to Fulton Bank, N.A. directly from closing escrow to satisfy the March 26, 2021 and June 25, 2021 Out of Plan Loan Payments (as defined in the Objection);
  - c. Third, \$105,000 payable to the Trustee to pay the December 30, 2020 Plan payment in full;
  - d. Fourth, \$110,000; payable to the Trustee to be credited against the \$115,000 September 30, 2021 Plan payment; and
  - e. Fifth, the balance payable to Fulton Bank, N.A. directly from closing escrow to be credited against the \$380,000 payment due to Fulton Bank, N.A. from Debtors on November 30, 2021 pursuant to the Plan.
3. If the Property Sale is not consummated prior to September 1, 2021, but is consummated prior to September 30, 2021, the Property shall be sold free and clear of all liens and encumbrances pursuant to 11 U.S.C. § 363 with the proceeds thereof to be distributed as follows:
- a. First, to closing costs customarily paid by a seller of commercial real estate in Pennsylvania, which shall include neither broker's fees nor attorney's fees, shall include no more than 50% of any realty transfer tax not avoided by this Order, and which closing costs shall not exceed \$5,000 in total;
  - b. Second, \$90,000 payable to Fulton Bank, N.A. directly from closing escrow to satisfy the March 26, 2021, June 25, 2021, and September 24, 2021 Out of Plan Loan Payments (as defined in the Objection);
  - c. Third, \$105,000 payable to the Trustee to pay the December 30, 2020 Plan payment in full;
  - d. Fourth, \$80,000; payable to the Trustee to be credited against the \$115,000 September 30, 2021 Plan payment; and
  - e. Fifth, the balance payable to Fulton Bank, N.A. directly from closing escrow to be credited against the \$380,000 payment due to Fulton Bank, N.A. from Debtors on November 30, 2021 pursuant to the Plan.

4. Debtors are authorized to execute any and all documents and to perform any and all acts necessary to consummate the sale of the Property as authorized herein.

5. IT IS FURTHER ORDERED that this sale shall not be subject to Federal capital gains taxes and shall be treated pursuant to 11 U.S.C. §1232.

BY THE COURT:



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Patricia M. Mayer  
United States Bankruptcy Judge